

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION**

UNITED STATES OF AMERICA,	)	
<i>ex rel.</i> JOSEPH TESTINO,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civil Action No. 1:07-CV-146
	)	
	)	
AUGUSTA MEDICAL SYSTEMS, LLC,	)	
and JULIAN OSBON,	)	
	)	
Defendants.	)	

**JOINT STIPULATION OF DISMISSAL**

Pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3730(b), the United States of America, Joseph Testino (“Relator”), and Defendants Augusta Medical Systems, LLC, and Julian Osbon (“Defendants”) (collectively, “the Parties”) hereby stipulate to the dismissal with prejudice of all claims asserted against Defendants in this action.

The Parties respectfully request that the Court enter an order in the form of the attached proposed order.

Respectfully submitted, this 30th day of May 2012.

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Acting under Authority Conferred by Title 28, Section 515

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 30th day of May 2012, I served the foregoing, Joint Stipulation of Dismissal, on the following parties in this case in accordance with the directives from the Court Notice of Electronic Filing (NEF) which was generated as a result of electronic filing:

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**UNITED STATES DISTRICT COURT  
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AUGUSTA DIVISION**

UNITED STATES OF AMERICA, )  
*ex rel.* JOSEPH TESTINO, )

Plaintiffs, )

v. )

Civil Action No. 1:07-CV-146

AUGUSTA MEDICAL SYSTEMS, LLC, )  
and JULIAN OSBON, )

Defendants. )

**DISMISSAL ORDER**

The United States of America, Relator Joseph Testino, and Defendants Augusta Medical Systems, LLC and Julian Osbon (collective, “the Parties”), hereby seek dismissal with prejudice of this action pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure. Upon due consideration of the Joint Stipulation of Dismissal and the other papers on file in this action,

**IT IS HEREBY ORDERED** that,

1. The complaint is **DISMISSED**; and
2. The dismissal shall be **WITH PREJUDICE** as to the United States and the Relator with respect to all claims against Defendants in this action.

\_\_\_\_\_  
J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA

Dated: \_\_\_\_\_